

HOUSE BILL 1607

By Pitts

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 3, relative to education funding.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 3, Part 3, is amended by
adding the following language as a new section:

(a) As used in this section, "educational facility" or "facility" means:

(1) A facility that operates as a Category I special purpose school
pursuant to state board of education rules;

(2) The facility provides a minimum of thirty-two (32) hours per week of
educational instructional services to students admitted pursuant to this section;
and

(3) The facility is a recipient of a juvenile justice prevention grant.

(b) An LEA shall allocate funding to an educational facility in an amount equal to
the per pupil state and local funds received by the LEA on a prorated daily basis for the
student's length of stay; provided, that:

(1) The student admitted to the facility was enrolled in an LEA in the
academic year immediately preceding admission to the facility and is enrolled at
the time of admittance;

(2) The student is admitted to the facility under a signed, written order of
a qualified juvenile judge or magistrate of a juvenile court in this state, such order
being based upon the juvenile judge or magistrate of a juvenile court's
assessment that admittance is in the best interest of the student and the
community; and

(3) The student is not in the custody of the department of children's services.

(c) An LEA may require a juvenile court order including the student's name, the dates of admission, and the signature of the juvenile judge or the magistrate of the juvenile court to be submitted to the LEA prior to disbursement of funds to the facility.

(d) The funding specified in subsection (b) shall be in addition to funds allocated pursuant to federal law and regulation, including, but not limited to, Title I and ESEA funds.

(e) This section shall not be used or construed to circumvent the requirements of Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §§ 1400 - 1482).

(f) The state board of education shall promulgate rules that provide for the determination of the allocation of funding as provided in this section. All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.